Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 2-5 and 9. Figures 10A-10C are new. These sheets, which include Figs. 1-10C, replace the original sheets including Figs. 1-9.

Attachment: Replacement Sheets

New Sheet

REMARKS

Claims 1-3 and 5-7 will be pending upon entry of present amendment. Claims 1-3 and 5-7 are being amended. Claim 4 is cancelled. No new matter is being entered.

Applicant's attorney would like to inform the Examiner of co-pending Application Number 10/519,282, which contains similar subject matter. References Takeda U.S. Patent Application Number 6,898,163 and Ushiyama et al U.S. Patent Application Number 2002/0176338 have been cited in co-pending Application Number 10/519,282 and are brought to the Examiner's attention in order to provide full and complete disclosure.

Discussion of the Drawings:

Figures 2-3, 5, and 9 were objected to because the black boxes were not descriptively labeled, and the drawings did not show every feature of the invention specified in the claims. As the Examiner requested, Figures 2-5 and 9 are being amended to descriptively label the black boxes and to indicate the features of the invention as specified in the claims. In particular, table 9/9 as originally filed with the application is used to label boxes 52-59 and steps S1-S11, S23-25, S27, S29-S30, S33-S36, S41, S43-49, and S51. Figure 4 is being amended to label the three adjacent tracks (consistent with specification at page 30, lines 5-7).

Additionally, Figures 3, 5, and 9 have been amended to include details specified in the claims. Figure 3 is being amended to label Steps S1 and S7 to provide clarity and indicate amplitude D2 and D3 as specified in the claims (consistent with specification at page 29, lines 21-27; page 31, line 28 to page 32, line 14). Figure 5 is being amended to label Step S25 to include jitter J0 and J1 and amplitude A0 and A1 of the signal as specified in the claims (consistent with specification at page 34, lines 19-28). Step 28 is also amended to indicate the proper variable x in place of the number 9 as specified in the claims (consistent with specification at page 35, lines 20-28). Step S30 is also amended to include jitter J(x + 1) and amplitude A(x + 1) of the signal as specified in the claims (consistent with specification at page 36, lines 4-19). Figure 9 is being amended to include obtaining jitters JJ0, JJ1, JJ2, JJm, JJ(y+1),

and JJ(n+1) as specified in the claims (consistent with specification at page 43, lines 6-28; page 44, line 26 to page 46, line 9).

New Figures 10A-10C is added to provide clarification for the features of the invention as specified in the claims and to clarify details of Figure 4. Nine sheets of drawings are presented herewith for approval.

Discussion of the Specification:

The specification is being amended to fix minor typographical errors and to provide consistent language in the entire application. In particular, labels for various variables are amended to be consistent throughout the application. Reference to track numbers is also amended for consistency.

Discussion of the Abstract:

The abstract was objected to because it was longer than the allowable 500 words. The abstract is being amended to meet the requirements of MPEP §608.01(b).

Discussion of the Claims:

Claims 1-2 were objected to because claim 1 contained an informality. Claim 1 is being amended as suggested by the Examiner.

Claims 1-7 were rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement.

Claim 4 is being cancelled.

Claims 1-3 and 5-7 are being amended to provide consistent language with the specification as amended. Labels for various variables are being amended to be consistent with the language of the entire application. The format of the claims is amended for the Examiner's convenience.

Applicant believes there is full support in the specifications for claims 1-3 and 5-7, as will now be explained. Reconsideration and withdrawal of the rejection is requested.

Support for the amended claim 1 is provided as follows:

The first step of "projecting the laser beam onto a first track, a second track and a third track in this order formed on the data rewritable type optical recording medium to be adjacent with each other while varying a level of the recording power of the laser beam, thereby recording a first test signal" is supported by the description on page 41, last line to page 42, line 7 of the specification (Steps S42 and S43).

The second step of "reproducing the first test signal recorded on the second track, measuring, for each of the levels of the recording power of the laser beam, jitter JJ1 of the thus reproduced signal, reproducing the first test signal recorded on the third track, measuring jitter JJ0 of the thus reproduced signal" is supported by the description on page 43, lines 3 to 14 of the specification (Steps S44 and S45).

The third step of "projecting the laser beam onto the first track and the third track y times where y is a positive integer, thereby directly overwriting the first test signal recorded on the first track and the first test signal recorded on the third track with the first test signal" is supported by the description on page 43, line 15 to page 44, line 23 of the specification (Steps S46, S47, S48 and S49).

The fourth step of "reproducing the first test signal recorded on the second track, measuring jitter JJ(n + 1) of the thus reproduced signal where n is an integer equal to or larger than 0 and equal to or smaller than y, obtaining, for each of the levels of the recording power of the laser beam, a value of nc of n at which a function of a difference between JJ(n + 1) and JJ0 becomes constant, determining the maximum value of nc as the number of times x of the direct overwriting required for saturating an influence of cross erasing of data on the first test signal recorded on the second track by directly overwriting the first test signal recorded on the first track and the first test signal recorded on the third track with the first test signal" is supported by the description on page 44, line 24 to page 47, line 4 of the specification (Steps S41 to S51).

The fifth step of "setting the recording power of the laser beam to a predetermined level, projecting the laser beam onto a fourth track, a fifth track and a sixth track in this order formed on the data rewritable type optical recording medium to be adjacent with each other,

thereby recording a second test signal thereon, reproducing the second test signal recorded on the fifth track, measuring an amplitude A1 and jitter J1 of the thus reproduced signal, reproducing the second test signal recorded on the sixth track, measuring an amplitude A0 of the thus reproduced signal, calculating, for each of the levels of the recording power of the laser beam, a first parameter as a function of a difference between the amplitude A0 of the reproduced signal obtained from the sixth track and the amplitude A1 of the reproduced signal obtained from the fifth track" is supported by the description on page 34, line 6 to page 35, line 7 and page 37, lines 2 to 16 of the specification (Steps S22 to S25 and S33).

The sixth step of "directly overwriting the second test signal recorded on the fourth track and the second test signal recorded on the sixth track with the second test signal x times, reproducing the second test signal recorded on the fifth track, measuring an amplitude A(x+1) and jitter A(x+1) of the thus reproduced signal, calculating, for each of the levels of the recording power of the laser beam, a second parameter as a function of a difference between the amplitude A1 of the reproduced signal and the amplitude A(x+1) of the reproduced signal, calculating a third parameter as a function of a difference between the jitter J(x+1) of the reproduced signal and the jitter J1 of the reproduced signal" is supported by the description on page 35, line 8 to page 36, line 18 and page 37, line 2 to 19 of the specification (Steps S26, S27 S29, S30 and S33).

The seventh step of "obtaining a value of the first parameter corresponding to a value of the second parameter when the third parameter is equal to a tolerance, thereby determining a critical parameter" is supported by the description on page 37, line 20 to page 38, line 23 of the specification (Steps S34 and S35).

The eighth step of "recording a third test signal in the data rewritable type optical recording medium while varying levels of the recording power of the laser beam" is supported by the description on page 29, line 21 to page 31, line 28 of the specification (Steps S1 to S6).

The ninth step of "measuring, when signal characteristics of a reproduced signal obtained by reproducing the third signal recorded in the data rewritable type optical recording medium satisfy reference conditions, an amplitude D3 of a reproduced signal obtained by

reproducing the third test signal before the third test signal is influenced by cross erasing of data and an amplitude D2 of a reproduced signal obtained by reproducing the third test signal after the third test signal was once influenced by cross erasing of data for each of the levels of the recording power of the laser beam, calculating, based on the amplitude D2 of the reproduced signal and the amplitude D3 of the reproduced signal obtained by reproducing the third test signals, a fourth parameter as a function of a difference between the amplitude D3 of the reproduced signal obtained by reproducing the third test signal before the third test signal is influenced by cross erasing of data and the amplitude D2 of he reproduced signal obtained by reproducing the third test signal after the third test signal was once influenced by cross erasing of data " is supported by the description on page 30, line 21 to page 31, line 7 and page 31, line 18 to page 32, line 19 of the specification (Steps S6 to S8).

The tenth step of "comparing the critical parameter and the fourth parameter, and determining the recording power of the laser beam at which the fourth parameter was obtained as an optical recording power when the fourth parameter is equal to or smaller than the critical parameter" is supported by the description on page 32, line 20 to page 33, line 4 of the specification (Steps S9 and S11).

Thus, amended claim 1 is clearly supported by the description of the specification.

Further, the steps defined in the amended claim 2 are supported by the description on page 31, lines 8 to 17 of the specification (Step S5).

The steps defined in the amended claim 3 are supported by the description on page 36, line 19 to page 38, line 23 of the specification (Steps S31 to S35).

Support for claims 5-7 is identical to support for claims 1-3.

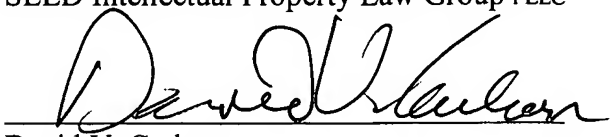
Accordingly, claims 1-3 and 5-7 are in condition for allowance.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC



David V. Carlson
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DVC:lcs
Enclosures:
9 Sheets of Replacement Drawings (Figures. 1-10C)
Supplemental Information Disclosure Statement Transmittal
Supplemental Information Disclosure Statement

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